IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:

Junji SATO, et al.

Application No.:

New PCT National Stage Application

Filed:

April 19, 2006

For:

MODULATION APPARATUS AND MODULATION METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. US '703, JP '921 and JP '246 are discussed in the present application at page 7, line 24. US '224 corresponds to JP '921.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see <u>Beckman Instruments</u>, <u>Inc. v. Chemtronics</u>, <u>Inc.</u>, 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: April 19, 2006

James E. Ledbetter

Registration No. 28,732

JEL/spp

ATTORNEY DOCKET NO. L9289.06146

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.

1615 L STREET, NW, Suite 850

WASHINGTON, DC 20043-4387

Telephone: (202) 785-0100

Facsimile: (202) 408-5200

IAP15 Rec'd PCT/PTO 19 APR 2006 SERIAL NO. 10/576304

New PCT Nat'l Stage
Application FORM PTO-1449 U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office ATTY. DOCKET NO. INFORMATION DISCLOSURE STATEMENT BY APPLICANT L9289.06146 **APPLICANT** (Use several sheets if necessary) Junji SATO, et al. FILING DATE April 19, 2006 **GROUP** Unassigned U.S. PATENT DOCUMENTS EXAMINER IF ELPHOPATETE DOCUMENT NUMBER DATE NAME CLASS SUBCLASS 2 08/2000 0 4 Lindoff et al. 7 6 0 0 8 0 3 12/1999 Perrott et al. **FOREIGN PATENT DOCUMENTS** SUBCLASS DOCUMENT NUMBER DATE COUNTRY CLASS **TRANSLATION** YES NO 2002 5 2 7 2 1 9 08/2002 JP 2 6 2 9 5 6 08/1994 JP 5 2 5 2 2 1 9 09/1993 JP 2 2 8 5 4 6 09/1996 JP Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) PCT International Search Report dated February 1, 2005.

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.